

## REMARKS

Claims 1-28, 53 and 54 remain in this application.

The Examiner has objected to Claims 7-15 and 20-24.

Antecedent support for the amendments to the claims is found in the figures. For instance, figure 2 shows a switch fabric connected between the plurality of disk elements and the plurality of network elements.

The Examiner has rejected Claims 1-6, 16-19, 25-28, 53 and 54 as being unpatentable over Lee.

Referring to Lee, there is taught an ethernet switch 170 that connects the appliance to a network switch. See column 5, lines 20-25. There is also taught a conventional FC switch 180. The FC switch 180 is a SAN network switch that connects to the appliance 100. See column 5, lines 60-64. None of these switches taught by Lee meet the limitation, or really have anything at all to do with the limitation in amended Claim 1 of a switching fabric connected between the disk elements and the network elements. As is clear from figure 1 of Lee, the network elements are connected between the switch and the disk elements. This difference is fundamental between Lee and the claimed invention. In Lee, the switch directs the requests from clients. In the claimed invention, the fabric directs the transmissions between the network

elements and the disk elements. Additionally, the amendments to Claim 1 further specify the presence of a plurality of connections, each connection connecting a single network element with a single disk element. The present invention, therefore, provides a file system which can be dynamically scaled by adding network or disk elements to the system (see, for example, page 5, lines 2-6 of the application as filed). The plurality of connections as recited in Claim 1 allows each network element to communication with each disk element. In this way, a file system request received at any one of the network elements may be processed in accordance with the mapping function in that network element, and the request forwarded to the relevant one or more disk elements. This increases reliability in case of failure among the network elements, and also allows easy expansion of the file system. Accordingly, Claim 1 is patentable over Lee.

Claims 2-6 are dependent to parent Claim 1 and are patentable for the reasons Claim 1 is patentable.

Claim 16 is patentable for the reasons Claim 1 is patentable. Claims 17-19 are dependent to parent Claim 16 and are patentable for the reasons Claim 16 is patentable.

Claims 25-27 are patentable for the reasons Claim 1 is patentable. Claim 28 is dependent to parent Claim 27 and is patentable for the reasons Claim 27 is patentable. Claim 53 is patentable for the reasons Claim 1 is patentable. Claim 54 is dependent to parent Claim 53 and is patentable for the reasons Claim 53 is patentable.

In view of the foregoing amendments and remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 1-28, 53 and 54, now in this application be allowed.

<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p><u>2/26/09</u></p> <p>Date</p> <p><u>Ansel Schwartz</u></p> <p>Ansel M. Schwartz Registration No. 30,587</p>
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